

## ACTION MINUTES

### REGULAR MEETING OF THE CITY COUNCIL TUESDAY, DECEMBER 8, 2020 ARROYO GRANDE, CALIFORNIA

In compliance with the State Shelter at Home Order due to the coronavirus pandemic, and as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, this meeting was held by teleconference.

#### **1. CALL TO ORDER**

Mayor Ray Russom called the Regular City Council Meeting to order at 6:00 p.m.

#### **2. ROLL CALL**

City Council: Council Members Lan George, Jimmy Paulding, Kristen Barneich, Mayor Pro Tem Keith Storton, and Mayor Caren Ray Russom were all present.

Staff Present: City Manager Whitney McDonald, Assistant City Manager/Director of Public Works Bill Robeson, Director of Legislative and Information Services/City Clerk Kelly Wetmore, City Attorney Timothy Carmel, Administrative Services Director Mike Stevens, Police Chief Mike Martinez, Acting Police Commander Jason Castillo, and Program Analyst Cammie Karamanlis.

#### **3. MOMENT OF REFLECTION**

#### **4. FLAG SALUTE**

Mayor Ray Russom led the flag salute.

#### **5. AGENDA REVIEW**

##### **5.a. Closed Session Announcements.**

Announcement of reportable actions taken, if any, from the following meeting:

Regular Meeting of November 24, 2020

##### **Successor Agency:**

a) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN: 006-151-027; Located at Faeh Avenue and El Camino Real

Agency Negotiators: Whitney McDonald, City Manager

Negotiating Parties: ELA Foods, Inc.

Under Negotiation: Price and terms of payment

City Attorney Carmel announced that the Successor Agency Board took the following action: Motion was made by Chair Russom to extend the purchase agreement for an additional six months (to June 30, 2021), Buyer to increase the deposit to \$95,000 (10% of purchase price) which becomes nonrefundable if no application for a conditional use permit is filed with the City by March 31, 2021. Second made by Board Member Barneich. Motion passed unanimously.

**5.b. Ordinances Read in Title Only.**

Mayor Ray Russom moved, Council Member George seconded, and the motion passed unanimously by roll-call vote that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

**6. SPECIAL PRESENTATIONS**

**6.a. Update Regarding Countywide COVID-19 Efforts.**

**Recommended Action:** Receive update, accept public comments, discuss, and provide direction, as necessary.

City Manager McDonald provided an update on COVID-19 efforts. She reported that the County is currently under a new Stay at Home Order and provided a brief overview of the restriction as follows: grocery stores are allowed to remain open with limited capacity; hotels and lodging establishments are to close except for essential and critical infrastructure use, retail stores can be open with limited capacity; restaurants and wineries are allowed to remain open for takeout only; outdoor businesses including outdoor recreation facilities such as gyms and fitness facilities are allowed to operate outdoors only; worship services and religious ceremonies can remain outdoors only, including wedding and funeral services, and receptions and celebrations of life are not allowed at this time; all other businesses are required to close, City parks and sports fields are open for physical activity only, but the playgrounds have been closed. City Manager McDonald stated that more information can be found on the County's website at ReadySLO.org. City Manager McDonald responded to questions from Council.

Council comments included support for calling a possible Special City Council meeting regarding a letter to be sent to the Governor in support of the request by San Luis Obispo, Santa Barbara, and Ventura Counties requesting removal from the Southern California region stay home order.

Mayor Ray Russom invited public comment. No public comments were received.

No action was taken on this item.

**6.b. City Manager Communications.**

**Recommended Action:** Receive correspondence/comments as presented by the City Manager and provide direction, as necessary.

City Manager McDonald announced that the Recreation Department is hosting a Mayor's Challenge Holiday House Decorating Contest as well as Zoom calls with Santa or the Grinch, and that more information can be found on the City's website.

Mayor Ray Russom invited public comment. No public comments were received.

No action was taken on this item.

**6.c. Installation of Officers.**

- a) Receive and file the City Clerk's report.

City Clerk Wetmore presented a brief staff report explaining that on August 18, 2020, the City Council accepted the City Clerk's certification that there were not more candidates than elected offices to be filled at the General Municipal Election on November 3, 2020. She noted that pursuant to the Elections Code, the Council had adopted Resolution No. 5022 which resulted in the appointments of Caren Ray Russom as Mayor for a two-year term, and Kristen Barneich and Lan George as members of the City Council, each for four-year terms, as if they were elected. She also noted that adoption of Resolution No. 5022 resulted in cancellation of the City's General Municipal Election on November 3<sup>rd</sup>. She recommended the Council receive and file the report and that the required Oaths of Office be administered.

Mayor Ray Russom invited public comment. Speaking from the public was Dan Pace, stating that he had worked with City Clerk Wetmore for many years and that he has nothing but the upmost respect and admiration for her and congratulated her on her retirement. No further public comments were received.

- b) Oath of Office to be Administered by City Clerk Wetmore.

City Clerk Wetmore administered the Oath of Office to Mayor Caren Ray Russom, Council Member Kristen Barneich, and Council Member Lan George.

- c) Remarks by Council Member Barneich.

Council Member Barneich stated that she is happy to be serving another four years on the Council, loves the job and takes pride in serving the Arroyo Grande residents; is grateful for the wide support of the community; that she had raised almost \$8,000 which she was able to donate, with permission from donors, to three non-profit organizations including 5Cities Homeless Coalition, Jacks Helping Hand, and Woods Humane Society; thanked her campaign committee who volunteered many hours; stated she spoke to residents and that she appreciates their input and urged them to sign up for notifications via the City's website; that her door is always open and welcomes any communication; commented on her deep respect for her fellow colleagues who work hard to represent the community; and thanked staff for their hard work and good working relationship with the Council.

- d) Remarks by Council Member George.

Council Member George expressed her dedication to the residents of Arroyo Grande and that she is both excited and thankful to continue her work as Council Member for the next four years; that we are living in unprecedented times of hardship and her primary goals are to listen, empathize with, and to address questions and concerns; that she will continue to work diligently to find solutions that are viable and finds comfort knowing that she is working alongside her fellow Council Members; expressed her gratitude for the Executive Team and staff; thanked her family and campaign team for their support; and pledged to work tirelessly to support residents, businesses, Council, and staff for the betterment of the City.

- e) Remarks by Mayor Ray Russom.

Mayor Ray Russom stated it is an honor to serve the community; that she is grateful for the opportunity and it gets better every year; thanked the community for their support and confidence; thanked staff from the bottom up and stated that the organization is able to function every day

because of the hard work of so many people and they make the Council look good; thanked her family for their support and allowing her to serve the City; highlighted past accomplishments including a structurally balanced budget, making significant payments to the City's PERS unfunded liability, progress on the Sanitation District redundancy project with no expected rate increases and a local hiring provision, and completion of the District audit on time. She stated she has taken her position seriously to provide respectful, responsive leadership, especially during the most challenging times, and thanked those who have reached out to her in kindness, and appreciated the current Council's value system and support for each other.

Council Member Paulding stated that it is a pleasure to serve with the Council and that he appreciates the respect and civility of all and congratulated Mayor Ray Russom and Council Members Barneich and George.

Mayor Pro Tem Storton congratulated Mayor Ray Russom and Council Members Barneich and George, acknowledged the Council's dedication and working relationship, and stated that he is looking forward to continuing to work together in a transparent and civil way.

**6.d. Honorary Proclamation Recognizing Kelly Wetmore, Director of Legislative and Information Services/City Clerk Upon Her Retirement from City Service.**

Mayor Ray Russom presented a Proclamation recognizing Kelly Wetmore, Director of Legislative and Information Services/City Clerk, upon her retirement from City service.

City Clerk Wetmore stated that it has been a pleasure and honor to serve the community, Council, and staff, thanked the current and former Mayors and Council Members, City Managers, Executive Management team, City Attorney and his team, Advisory Board members, and staff for their support and teamwork, and thanked her family for their support of her career over the years.

Council comments ensued congratulating City Clerk Wetmore on her retirement and wishing her well.

Mayor Ray Russom invited public comment. Speaking from the public was Alexa Wetmore, stating she was proud of everything her mom has accomplished in her career and she is looking forward to her retirement so she can come visit whenever she wants. No further public comments were received.

The following members of staff congratulated City Clerk Wetmore on her retirement and wished her well: City Attorney Carmel; City Manager McDonald; Program Analyst Karamanlis; Assistant City Manager/Public Works Director Robeson; and Police Chief Martinez.

Police Chief Martinez congratulated Kelly and thanked her for exemplifying professionalism.

**7. COMMUNITY COMMENTS AND SUGGESTIONS**

Mayor Ray Russom invited public comment. No public comments were received.

**8. CONSENT AGENDA**

Mayor Ray Russom asked the Council if there were any questions or any items to be pulled from the consent agenda for further discussion.

City Attorney Carmel referred to Item 8.c. (Consideration of Approval of Minutes) and stated that the minutes have been amended to reflect that the City Council was acting in its capacity as the Successor Agency Board for the closed session item.

In response to a question by Council Member Barneich regarding Item 8.g. (Consideration to Approve an Agreement for Consultant Services with Pavement Engineering, Inc. for the 2020 Street Repairs Project, PW 2020-13), Assistant City Manager/Public Works Director Robeson stated that the street repairs will begin in 2020 and be completed in 2021, and that staff will begin to label the projects in the year that they are completed.

Mayor Ray Russom invited public comment on the Consent Agenda. Speaking from the public was Jocelyn Brennan, South County Chambers of Commerce, regarding Item 8.f. (Consideration of Appointment to the Arroyo Grande Tourism Business Improvement District Advisory Board), stating that Yvette Eagles will be replacing Dave Kastner on the TBID Advisory Board. No further public comments were received.

Mayor Ray Russom provided a list of streets that will be receiving street repairs.

**Action:** Council Member Barneich moved to approve Consent Agenda Items 8.a. through 8.g., with the recommended courses of action. Mayor Pro Tem Storton seconded, and the motion passed on the following roll-call vote:

**AYES:** Barneich, Storton, Paulding, George, Ray Russom  
**NOES:** None  
**ABSENT:** None

**8.a. Consideration of Cash Disbursement Ratification.**

**Action:** Ratified the listing of cash disbursements for the period November 1, 2020 through November 30, 2020.

**8.b. Consideration of Compensation Adjustments for Part-Time Employees and Approval of the Updated Citywide Combined Salary Schedule.**

**Action:** Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES AND APPROVAL OF THE UPDATED CITYWIDE COMBINED SALARY SCHEDULE”***.

**8.c. Consideration of Approval of Minutes.**

**Action:** Approved the minutes of the Regular City Council/Successor Agency of the Dissolved Arroyo Grande Redevelopment Agency Meeting of November 24, 2020, as amended.

**8.d. Adoption of Resolution Declaring a Continued Local Emergency Related to the Coronavirus (COVID-19) Pandemic.**

**Action:** Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC”***.

**8.e. Consideration of Appointment to San Luis Obispo County Housing Trust Fund Commission.**

**Action:** Appointed the Community Development Director, or their designee, to serve as the City’s representative on the San Luis Obispo County Housing Trust Fund Commission.

**8.f. Consideration of Appointment to the Arroyo Grande Tourism Business Improvement District Advisory Board.**

**Action:** Appointed Yvette Eagles to the Arroyo Grande Tourism Business Improvement District Advisory Board.

**8.g. Consideration to Approve an Agreement for Consultant Services with Pavement Engineering, Inc. for the 2020 Street Repairs Project, PW 2020-13.**

**Action:** Approved an Agreement for Consultant Services with Pavement Engineering, Inc. in the amount of \$126,835 for design services for the 2020 Street Repairs Project.

**9. PUBLIC HEARINGS**

**9.a. Consideration of Preliminary Approval of Community Development Block Grant (CDBG) Projects for Year 2021.**

City Manager McDonald presented the staff report and recommended the Council provide preliminary approval of proposed projects to be funded with the City's allocation of Community Development Block Grant (CDBG) funds for the Year 2021.

Mayor Ray Russom opened the public hearing. Speaking from the public was Jim Guthrie, suggesting an alternative ADA project next year to correct the street corners that do not currently meet standards. Upon hearing no further comments, Mayor Ray Russom closed the public hearing.

**Action:** Council Member Paulding moved to provide preliminary approval of proposed projects to be funded with the City's allocation of Community Development Block Grant (CDBG) funds for the Year 2021. Mayor Pro Tem Storton seconded, and the motion passed on following roll call vote:

**AYES:** Paulding, Storton, Barneich, George, Ray Russom

**NOES:** None

**ABSENT:** None

**10. OLD BUSINESS:**

**10.a. Consideration of One-Year Review of Ordinance No. 703 Relating to the Possession of Tobacco Products by Persons Under Twenty-One and Citation Statistics Related to Arroyo Grande High School.**

Acting Commander Castillo presented the staff report. He explained that up until the school closures that occurred due to the COVID-19 pandemic, the School Resource Officer had issued two Arroyo Grande High School students citations for possession of vape or tobacco products; however, they were dismissed by the court. He explained that the ordinance will continue to be an effective tool for law enforcement to educate and discourage underage tobacco usage, and that in order to obtain measurable data, the ordinance will be more effective during a school year with students physically attending school. He noted that it is the goal of the High School and the Police Department to educate the students and change their behavior as it relates to tobacco use. Staff responded to questions.

Mayor Ray Russom invited public comment. No comments were received.

Council comments ensued and staff was directed to bring this item back in two years for review.

No action was taken. The report was received and filed.

## **11. NEW BUSINESS**

### **11.a. Review of Council Appointments to Regional and Local Boards and Committees.**

City Clerk Wetmore presented the staff report and recommended the Council review the current list of appointments to those regional and local boards, commissions, and committees with Council representation, and: 1) Maintain current Council assignments and reappoint for the next two-year period, or 2) Reassign and approve new Council appointments to any of the regional and local boards and committees as desired; and 3) Direct the City Clerk to update Fair Political Practices Commission (FPPC) Form 806 (Agency Report of Public Official Appointments) for posting on the City website.

Mayor Ray Russom invited public comment. Speaking from the public was Dustin Hanning, who opposed the reappointment of Council Member Paulding to the APCD Board; Tony Goetz, South County Chamber of Commerce Chairman, thanked the Council for their service and stated that the appointee to the APCD Board should be someone who will look out for the interest of the local community. No further comments were received.

Council comments ensued in support of maintaining current Council assignments. Mayor Ray Russom referred to CAPSLO and said that she believed that representation on that Board ends for Arroyo Grande this year and rotates to another City. City Clerk Wetmore stated she would follow up with CAPSLO. Mayor Ray Russom offered that if Council Member George would not be serving on the CAPSLO Board, that she could be the representative for attending the monthly AGTBID meetings. Council Member George stated that CAPSLO Board had already approved her to serve another year; however, if something were to change, she would be happy to be the primary representative to attend the AGTBID meetings.

**Action:** Mayor Ray Russom moved to maintain current Council assignments and reappoint for the next two-year period; that if Council Member George's term on the CAPSLO Board was ending, to appoint her as the primary representative to attend the AGTBID Board meetings, with Mayor Ray Russom as the alternate; and to direct the City Clerk to update Fair Political Practices Commission (FPPC) Form 806 (Agency Report of Public Official Appointments) for posting on the City website. Council Member George seconded, and the motion passed on following roll call vote:

**AYES:** Ray Russom, George, Barneich, Paulding, Storton

**NOES:** None

**ABSENT:** None

### **11.b. Consideration of Selection of Council Member Paulding as Mayor Pro Tem.**

City Clerk Wetmore presented the staff report and recommended the Council appoint Council Member Paulding as the Mayor Pro Tem for the next one-year period, pursuant to Council policy. Mayor Ray Russom invited public comment. No comments were received.

**Action:** Mayor Ray Russom moved to appoint Council Member Paulding as the Mayor Pro Tem for the next one-year period, pursuant to Council policy. Council Member George seconded, and the motion passed on following roll call vote:

**AYES:** Ray Russom, George, Paulding, Barneich, Storton

**NOES:** None

**ABSENT:** None

## **12. COUNCIL COMMUNICATIONS**

Council Member Barneich wished everyone happy holidays.

Council Member George referred to the regional stay at home order and stated it hit her hard as it relates to the impact on businesses and wanted the residents and businesses know that she is thinking of everyone during this time.

Council Member Storton wished everyone happy holidays and stated he is looking forward to 2021.

Mayor Pro Tem Paulding echoed Council Member George's sentiments. He also referred to earlier discussion about having a special meeting and asked if the City Manager, under her authority of the state of emergency declaration, could send a letter regarding the removal of the San Luis Obispo, Santa Barbara, Ventura Counties from the Southern California region stay home order.

City Attorney Carmel stated if there were sufficient direction given by the Council, there would be no issue for the City Manager to write the letter of support.

Mayor Ray Russom expressed concern and stated that the Governor needs to hear from elected officials and that the force and effect of a letter from Council is stronger. Following brief discussion, it was agreed that the letter should come from the Council.

Mayor Ray Russom announced the Mayor's Challenge Holiday House Decorating Contest and encouraged people to nominate houses; announced that she is working with the Chamber and she will be sharing a list of local businesses to support in purchasing holiday gifts; and acknowledged that the annual employee appreciation luncheon has been significantly modified to be in compliance with the stay at home order, so she wanted to adjourn to closed session in honor of the Arroyo Grande staff.

## **13. CLOSED SESSION**

At 8:34 p.m., the Council adjourned to closed session to consider the following item:

- a) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.** Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) involving 1 potential case.

At 9:57 p.m., the closed session concluded and City Attorney Carmel announced that there was no reportable action.

**14. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 9:58 p.m.

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**Caren Ray Russom, Mayor**

**ATTEST:**

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**Annamarie Porter, Interim City Clerk**

**(Approved at CC Mtg \_\_\_\_\_)**

## **ACTION MINUTES**

### **SPECIAL MEETING OF THE CITY COUNCIL TUESDAY, DECEMBER 15, 2020 ARROYO GRANDE, CALIFORNIA**

In compliance with the State Shelter at Home Order due to the coronavirus pandemic, and as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, this meeting was held by teleconference.

#### **1. CALL TO ORDER**

Mayor Ray Russom called the Special City Council Meeting to order at 6:00 p.m.

#### **2. ROLL CALL**

City Council: Council Members Kristen Barneich and Keith Storton, Mayor Pro Tem Jimmy Paulding and Mayor Caren Ray Russom were all present. Council Member George was absent

Staff Present: City Manager Whitney McDonald, Assistant City Manager/Director of Public Works Bill Robeson, Director of Legislative and Information Services/City Clerk Kelly Wetmore, City Attorney Timothy Carmel, Administrative Services Director Mike Stevens, and Police Chief Mike Martinez.

#### **3. FLAG SALUTE**

Mayor Ray Russom led the flag salute.

#### **4. PUBLIC COMMENT**

Mayor Ray Russom invited public comment on items listed on the agenda. Speaking from the public were: Ken Dalebout, Arroyo Grande Community Hospital, stating that the COVID-19 pandemic is real and cited recent statistics in cases and deaths, that Dignity Health does not see an advantage in being included with the Southern California Region and supported a tri-county approach in assessing and managing health care needs, acknowledged the recent surge in cases, advocated for wearing face coverings, keeping 6 feet distance, washing hands often, and staying home when sick, and provided an update on vaccines; Janice, expressed concern that if we open up the County and decrease the restrictions, that visitors will come to our area that do not follow the rules, especially when there is no enforcement of the rules, and her preference is to remain within the Southern California region; Kay Gore, stated we are in a crisis situation, she does not leave her house and is self-isolating, and expressed concern that the order for wearing face coverings is not being enforced and supported staying within the Southern California region; and Kathleen, who agreed with the previous two speakers as it relates to staying within the Southern California region. No further public comments were received.

#### **5. BUSINESS ITEMS:**

##### **5.a. Update Regarding Countywide COVID-19 Efforts.**

City Manager McDonald noted that Council Member George had a family emergency and could not attend tonight's meeting. She stated the County reported six new deaths, which is the most deaths in one day to date; commented on the monitoring of available ICU bed capacity and number of cases per 100,000 people; clarified that people can sit down outside to eat their take-out food; however, restaurant service is not allowed; and responded to questions from Council.

Mayor Ray Russom invited public comment. No public comments were received.

No action was taken on this item.

**5.b. Consideration of Letter to the Governor Supporting the Request of the Counties of San Luis Obispo, Santa Barbara, and Ventura for Recognition of the Central Coast Region Under the Regional Stay At Home Order.**

City Manager McDonald presented the staff report and recommended that the Council approve and authorize the Mayor to sign a letter to the Governor supporting the request of the Counties of San Luis Obispo, Santa Barbara, and Ventura for recognition of the Central Coast Region under the Regional Stay at Home Order. Staff responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Ken Dalebout, Arroyo Grande Community Hospital Administrator, stating that Arroyo Grande Community and Marian Regional Hospitals are working together to care for COVID-19 patients, and until it is needed, Arroyo Grande Hospital has been designated as a clean campus to be used for non-COVID-19 patient overflow, and further explained that within the tri-county region, Dignity Health has the facilities and resources to provide healthcare services to its population. No further public comments were received.

**Action:** Council Member Storton moved to approve and authorize the Mayor to sign a letter to the Governor supporting the request of the Counties of San Luis Obispo, Santa Barbara, and Ventura for recognition of the Central Coast Region under the Regional Stay at Home Order. Mayor Pro Tem Paulding seconded, and the motion passed on following roll call vote:

**AYES:** Storton, Paulding, Barneich, Ray Russom  
**NOES:** None  
**ABSENT:** George

**6. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 6:58 p.m.

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**Caren Ray Russom, Mayor**

**ATTEST:**

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**Annamarie Porter, Interim City Clerk**

**(Approved at CC Mtg \_\_\_\_\_)**

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